

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



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Governor

KARYN E. POLITO
Lt. Governor

MATTHEW A. BEATON
Secretary

JOHN LEBEAUX
Commissioner

Request for Statements of Interest

Submission due date: **Jan 11, 2017**

Contact: Gerard Kennedy
Agricultural Preservation Restriction Program
251 Causeway Street, Suite 500
Boston, MA 02114
Tel: 617-626-1773
Fax: 617-626-1850
Email: gerard.kennedy@state.ma.us

PURPOSE

The Massachusetts Department of Agricultural Resources ("MDAR") is the Grantee and holder of an Agricultural Preservation Restriction ("APR") on approximately 7.82 acres of land of farmland (no structures) at the corner of Broom and South Central Street in Plainfield, MA that is currently being offered for sale to MDAR for \$15,000.00. The APR was recorded on June 6, 2013 at the Franklin County Registry of Deeds in Book 11361, Page 235. As part of the APR, MDAR retains an Option to Purchase Real Estate at Agricultural Value a/k/a Option to Purchase at Agricultural Value (the "Option") when the land is transferred. As a result of a recently executed Purchase and Sale Agreement between the current owner, Penn S. Moulton, and a prospective purchaser, the APR land has been offered for sale to MDAR at a price of \$15,000.00.

MDAR is seeking a "Statement of Interest" from individuals or entities who are qualified and capable of accepting an assignment and purchasing the land for its agricultural value of \$15,000.00 and closing by April 6, 2017.

PROPERTY DESCRIPTION

Approximately 7.82 acres prime farmland soils (no structures) in Plainfield, Massachusetts situated at the corner of Broom and South Central Street. Approximately 5.3 acres are tillable, 2.5 acres are unmanaged woodland.

SUBMISSION STANDARDS AND REQUIREMENTS

As part of the assessment process in identifying an acceptable Farmer or New Entry Farmer, a/k/a potential assignee ("Potential Assignee") to receive an assignment of the Department's right to purchase, MDAR is seeking a formal "Statements of Interest" from Potential Assignees. Potential Assignees are encouraged to review MDAR Guidelines - Assignment of the Department's Option to Purchase at Agricultural Value prior to preparing a submission as these are the guidelines the Department will utilizing when selecting a Potential Assignee. The Statement of Interest must contain, at a minimum, **all** of the following documents:

I. General Information:

(Must include the below information in narrative form)

- Potential Assignee's legal name and address
 - If the entity is a corporation or limited liability company, MDAR must be provided the articles of incorporation demonstrating the corporation was formed for the purpose of owning and operating a commercial Farm and the entity has the ability to hold real property; or
 - If the entity is a partnership, MDAR must be provided partnership agreement which evidences partnership was formed for the purpose of owning and operating a commercial Farm and the entity has the ability to hold real property.

NOTE: If the corporation or partnership was formed within two years of the submission due date, the entity will be considered a "New Entry Farmer".

All the below information must be provided, if applicable:

- Whether Potential Assignee has historically leased, but not owned, agricultural land (I.E. whether this would be a first time purchase of agricultural land).
- Whether the Potential Assignee leases or owns other agricultural land and the distance from the Premises that land is located. Must specify the address of other agricultural land.
- All other lands the Potential Assignee currently owns that are subject to an APR.
- The Potential Assignee's number of Farm acres currently under production.

If the Potential Assignee intends to lease the Premises to a Farmer or a New Entry Farmer, a proposed lease agreement or letter of intent with a Farmer or New Entry Farmer must be provided.

II. Financial Statement

- Financial Statement must demonstrate the Potential Assignee's ability to pay \$15,000.00 **and close by April 6, 2017** days from MDAR's notice of intent to exercise. Specifically,
 - If purchasing with 100% cash funds, proof of satisfactory availability of funds, or
 - If obtaining financing, must provide letter of commitment for financing and satisfactory proof of ability to additional funds required for purchase price

III. Farmer Resume

- Farmer Resume is a brief account of the Potential Assignee's professional farm experience and qualifications.

NOTE: If the Potential Assignee intends to lease the Premises to a Farmer or New Entry Farmer, the Farmer Resume must be prepared by the Farmer or New Entry Farmer.

IV. Farm Plan

- Farm Plan must be sufficient to demonstrate the Premises will be utilized to the fullest extent possible for commercial agriculture. The Farm Plan is a narrative that includes, at a minimum, how the Premises will be utilized to the fullest extent possible for commercial agriculture for a five (5) year period including, but is not limited to, the following: identification of all land uses on the Farm, crops to be grown, acreage for each crop, livestock to be raised, pasture acreage, use of existing structures on Premises (if applicable), and need for additional structures (if applicable) and timeline for

implementation of the plan. **The narrative shall include a map or diagram identifying each land use proposed for the Farm.**

- if the Potential Assignee owned or operated a Farm previously, the Farm Plan must additionally include the size of the farming operation (acreage and gross income), and number of years in business; or
- if the Potential Assignee is a New Entry Farmer (a Farmer who has less than two years experience managing or owning a Farm):
 - the Farm Plan must list relevant degrees, courses, workshops, education and training, and a Financial Plan must be provided. The Financial Plan whether narrative or otherwise, must demonstrate the Potential Purchaser can support the operation of the Premises without adversely affecting long term viability of the Premises. Such a plan should, at a minimum, include: a net worth statement, an estimate of start-up costs, identification of costs of production, gross sales and net farm income, and income & expense projections for at least three years; or
- if the Potential Assignee intends to lease the Premises to a Farmer or New Entry Farmer, the Farm Plan must be prepared by the Farmer or New Entry Farmer.

MDAR may request additional information from any Potential Assignee.

PROPOSAL SUBMISSION INFORMATION AND DEADLINE

Statements of Interest must be **received** by the Massachusetts Department of Agricultural Resources no later than January 11, 2017. **Please submit all materials via mail, email or hand delivery to:**

**Dorothy Du
Department of Agricultural Resources
Suite 500
251 Causeway Street
Boston, MA02114
dorothy.du@state.ma.us**

Envelopes shall be marked in the lower left-hand corner with the following: **Statement of Interest for APR Land in Plainfield, MA**

Potential Assignee's are cautioned to allow sufficient time for their Statement of Interest to be received by MDAR. An electronic or facsimile Statement of Interest is acceptable provided that the complete packet together with any attachments is successfully received by MDAR prior to **5 PM on January 11, 2017.**

Note, any documents submitted will be subject to disclosure under the Public Records Law.

SELECTION CRITERIA

MDAR will evaluate each Potential Assignee's Statement of Interest to accept an assignment of the Commonwealth's offer to purchase the APR property for \$15,000 based on MDAR's Agricultural Preservation Restriction Program Guidelines, Assignment of the Department's Option to Purchase at Agricultural Value.